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March 26, 2019

**VIA ELECTRONIC FILING**

Honorable Anne Y. Shields, U.S.M.J.  
United States District Court for the  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

**RE: Stephen Lollo v. CARCO Group, Inc.  
18-cv-189 (DRH) (AYS)**

Dear Magistrate Judge Shields:

This firm represents defendant CARCO Group, Inc. ("CARCO") in connection with the above-referenced matter. We write to respectfully request a short extension of the remaining discovery deadlines in this case so the parties have sufficient time to complete fact discovery. Ralph Somma, Esq. counsel for plaintiff, Stephen Lollo, does not oppose this request.

The current deadline for the completion of fact discovery is April 16, 2019. We respectfully request that that the deadline to complete fact discovery be extended up to and including May 31, 2019. In the first instance, CARCO requests the below-outlined extension of the remaining discovery deadlines, in part, because Plaintiff's counsel underwent shoulder surgery on February 26, 2019, the recovery from which caused a brief delay in CARCO taking Plaintiff's deposition in early March, as well as the deposition of Plaintiff's mother, as originally proposed.

Second, at Plaintiff's deposition – which took place on March 15, 2019 – CARCO was made aware, for the first time, of the existence of a number of responsive documents relevant to its defenses of this case and the existence of a number of medical providers from whom Plaintiff has received medical treatment related to his claims in this action. Accordingly, CARCO made a number of requests on the record for documents and authorizations for medical records and CARCO has followed up with Plaintiff in writing in furtherance of those requests. This short adjournment of the discovery schedule will allow Plaintiff time to respond to CARCO's pending requests for documents and medical authorizations. Once CARCO receives a response to these pending requests, it will require time to review the documents, process the

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authorizations for medical records and, if necessary, conduct additional depositions.<sup>1</sup> Moreover, to the extent that Plaintiff objects to any portion of CARCO's discovery demands, this extension will provide CARCO with time to bring any outstanding issues to the Court's attention.

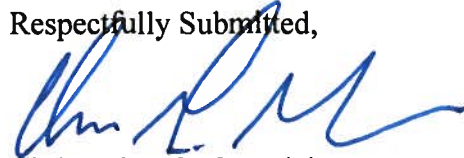
The parties are actively engaging in discovery. For example, Plaintiff is taking the deposition of a CARCO representative on April 2, 2019 and there is a third-party deposition scheduled for April 10, 2019. This short extension of time will allow CARCO to complete third-party discovery that could only have been done after obtaining Plaintiff's deposition testimony.

In light of the foregoing additional discovery that needs to be completed, as well as counsel's busy litigation schedule, CARCO hereby requests that the remaining discovery deadlines be extended as set forth below:

All fact discovery completed by:	May 31, 2019
Exchange of expert reports completed by:	June 13, 2019
Expert depositions completed by:	August 1, 2019
<b>COMPLETION OF ALL DISCOVERY BY:</b>	<b>August 5, 2019</b>
Final date to take first step in dispositive motion practice:	August 31, 2019
Submission of joint pre-trial order:	August 23, 2019

Thank you for your consideration of this request. Should Your Honor require any additional information, we are available at the Court's convenience.

Respectfully Submitted,



Christopher G. Gegwich

cc: Christopher J. Moro, Esq.  
Ralph Somma, Esq.  
(via ECF)

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<sup>1</sup> For instance, CARCO has over an hour of time remaining in its deposition of Plaintiff and CARCO did not close the record. Accordingly, CARCO may seek to further depose Plaintiff in this action.